

Message Text

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ORIGIN EUR-25

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TO AMEMBASSY BONN IMMEDIATE

INFO USMISSION BERLIN

AMEMBASSY LONDON

AMEMBASSY MOSCOW

AMEMBASSY PARIS

USMISSION NATO

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E.O. 11652: GDS

TAGS: PGOV, WB, BW

SUBJECT: POSTPONEMENT OF BUNDESTAG PRESIDIUM MEETING IN
WEST BERLIN

REFERENCE: BONN 2948

1. WE BELIEVE THAT PROPER ALLIED ROLE IS TO DETERMINE
LEGALITY UNDER QA AGREEMENT OF PRESIDIUM MEETING IN
BERLIN. POLITICAL DECISION WHETHER ACTION IS DESIRABLE
AT ANY TIME SHOULD, IN FIRST INSTANCE BE MADE BY FRG
ITSELF. ALLIES WOULD THEN BE PREPARED TO SUPPORT FRG
JUDGMENT.

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2. IN THIS REGARD, WE WOULD QUESTION THE RIGHT OF

FRAU RENGER TO MAKE TYPE OF LEGAL DETERMINATION CONTAINED IN HER LETTER TO CHANCELLOR WHICH RESERVED FOR THREE ALLIES AS SIGNATORIES TO AGREEMENT. WE ALSO QUESTION ACCURACY OF CONCLUSIONS WHICH SHE HAS REACHED IN LETTER WHICH IN OUR VIEW ARE NOT NEARLY SO CLEAR AS STATED BY RENGER. IN PARTICULAR, STATUS OF BUNDESTAG PRESIDIUM UNDER QA IS BY NO MEANS RESOLVED. IF AS RENGER LETTER STATES, PRESIDIUM IS PROCEDURAL BODY, QUESTIONS RAISED PARA 4, STATE 19287 BECOME PERTINENT. ON OTHER HAND, IF DETERMINATION MADE THAT BODY HAS COMMITTEE STATUS, AS BRITISH ALLEGE, MEETING WOULD BE SUBJECT TO LIMITATIONS UNDER QA. ANNEX II (2) SAYS THAT COMMITTEES OF THE BUNDESTAG WILL NOT PERFORM IN THE WSB CONSTITUTIONAL OR OFFICIAL ACTS WHICH CONTRADICT PROVISIONS OF PARAGRAPH, NAMELY THAT WHILE DEVELOPING TIES BETWEEN WSB AND FRG, ACCOUNT MUST BE TAKEN THAT WSB CONTINUE NOT TO BE A CONSTITUENT PART OF FRG OR GOVERNED BY IT. UNDER THE LETTER OF THE THREE AMBASSADORS SINGLE COMMITTEES MAY MEET IN WSB IN CONNECTION WITH MAINTAINING AND DEVELOPING TIES BETWEEN WSB AND FRG. CONSEQUENTLY ANY MEETINGS OF COMMITTEES MUST BE REVIEWED BY THREE POWERS TO SEE THAT SUCH MEETINGS DO NOT CONTRAVENE THESE LIMITATIONS. ABOVE REINFORCES OUR JUDGMENT THAT IT ESSENTIAL IN THIS CASE THAT BUNDESTAG PROVIDE ALLIES WITH ALL INFORMATION NECESSARY TO MAKE REQUIRED SUBSTANTIVE LEGAL DECISION.

4. SINCE EARLY COMMUNICATION TO BUNDESTAG IS DESIRED BY FRG, SUCH COMMUNICATION WILL HAVE TO DEAL WITH POLITICAL DESIRABILITY OF PRESIDIUM MEETING, AND SHOULD ACCORDINGLY BE SENT BY FRG ALONE. IF FEDERAL GOVERNMENT UNWILLING TO LIVE UP TO ITS RESPONSIBILITY AND TAKE THE KIND OF DECISION WE THINK IT SHOULD, THEN WE WOULD BE PREPARED TO JOIN IN COMMUNICATION, BUT NOT ALONG LINES OF SINGLE SENTENCE BAHR HAS SUGGESTED WHICH WOULD STATE THAT FOUR GOVERNMENTS DESIRE NO PRESIDIUM MEETING IN BERLIN. IN OUR VIEW, LETTER SHOULD SAY THAT BONN GROUP STILL HAS QUESTION OF BUNDESTAG MEETING IN WEST BERLIN UNDER CONSIDERATION. TO FACILITATE ITS REVIEW, ALLIES WOULD WELCOME FURTHER CONFIDENTIAL

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DETAILS AS TO NATURE OF PRESIDIUM MEETING IN BERLIN. UNTIL THIS MATERIAL RECEIVED AND ALLIES DECISION HAS BEEN REACHED, WE WOULD BE GRATEFUL IF PRESIDIUM WOULD NOT SCHEDULE MEETING IN BERLIN. SISCOE

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